



# An Chartlann Náisiúnta National Archives

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**Subj: Conversation with Reg Empey**

I had a brief conversation with Reg Empey at Castle Buildings this afternoon.

The following points of interest arose:

- Though generally pleased that the talks are now underway, Empey described this week's opening meetings as gruelling and exhausting for all concerned.
- He expects that next week's conferring among the talks participants will also be a "hard grind". The requirement to report to Plenary by Wednesday involves a very tight timetable and the UUP do not think that it will easily be met.
- I observed that there is a strict requirement to wrap up this phase by Wednesday, that the decision to have such a phase at all was a major concession to Unionist interests and that efforts to prolong it will be viewed with the greatest suspicion.
- I had earlier learned from the Chairman's secretariat in confidence that the names notified by the UUP for the conferring phase are Trimble, Empey and Peter Weir (notwithstanding the leader's reported plans for a US visit next week).
- Reflecting their public references to the achievement of a "blank page" in relation to procedures, the UUP will be forwarding an entirely new document to the Chairman tomorrow. Empey indicated that this would be different from the proposal produced by the party this week which was based on the 1992 procedures.
- The UUP recognise that the two Governments will have their existing proposals on the table. They see value in tabling a fresh approach which would avoid a probably

sterile polarisation between the two Governments' position and the 1992 model, which can in any event be contested on a variety of technical grounds (lack of relevance to present circumstances etc).

- As regards the powers for the Chairman, the UUP recognise that he must be given some flexibility and "power of initiative", particularly given the unwieldy nature of the current talks process with its multiple and diverse participants. In practical terms, he has to be able to nudge people forward, to seek agreements and to carry all the participants with him.
- However, the party has a difficulty with any suggestion of an "omnipotent" role for the Chairman. Specifically, they are unhappy with the provision (in para 11 of the Scenario paper) that he would satisfy himself that there are clear indications of good intent etc.
- Empey recalled that, in para 25 of the International Body's report, Senator Mitchell and his colleagues concluded that there was a clear commitment on the part of the paramilitaries to work constructively to achieve decommissioning as part of the process of all party negotiations. Yet at the same time, as has since emerged, the IRA were actively planning the Canary Wharf bombing. This calls into question the extent to which a judgement of this kind, however carefully weighed, can be relied on. Empey drew attention to the emphasis on this point in an article by Bob McCartney in today's News Letter (which, he said, had also been made by Dennis Kennedy in an article a few days ago).
- He went on to suggest that it would be in the Chairman's own interest if he were dispensed from the requirement to make the judgement under para 11 of the Scenario paper - in order to avoid the politically costly embarrassment of making a second error of judgement on effectively the same issue.
- In response, I highlighted the different terms of the judgement which the two Governments are asking the Chairman to make under para 11. In addition, he would make it not in isolation but on the basis of a Plenary discussion which would enable him to take account of the views of all participants.
- I emphasised the priority attached by both Governments to ensuring a balanced

treatment of all issues on the agenda. I made clear that the para 11 judgement is of particular importance in this context and that I saw no possibility of either Government agreeing to delete it. Empey himself, I observed, had recognised the need to afford the Chairman a right of initiative in order to take matters forward. He would also presumably agree that there could be no question of a talks process confined to one issue only (decommissioning). The power envisaged in para 11 would leave it to an impartial and judicious outsider to draw conclusions from what he had heard and to facilitate, accordingly, the transition to the rest of the agenda.

- Empey countered with familiar arguments about the sensitivity of the decommissioning issue for Unionists and their unhappiness in principle with efforts to control or abbreviate this discussion. In further discussion, he suggested that Unionists would be looking for an outcome on this point which would, at least, broaden the judgement reached by the Chairman into a collective judgement of some kind.

- Finally, Empey indicated that, while some of his colleagues favoured discussion in their paper of the comprehensive agenda for the talks (arguably possible under the terms of the "Possible Approach" paper), the paper will in fact address only the agenda for the opening plenary. The wider agenda raises many sensitive issues for the Unionists but does not need to be addressed for the present ("we have enough sensitive issues to be going on with").